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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MARIELA AGUILAR VELAZQUEZ, on  
behalf of herself and all others similarly  
situated,

Plaintiff,

VS.

ALLY BANK,

Defendant.

Case No. 2:21-cv-02375-MCE-DB

**STIPULATION AND ORDER PURSUANT  
TO LOCAL RULE 144(A) FOR EXTENSION  
OF TIME TO RESPOND TO COMPLAINT**

Judge: Hon. Morrison C. England, Jr.

1 Plaintiff Mariela Aguilar Velazquez and Defendant Ally Bank (together, the “Parties”),  
2 by and through undersigned counsel, pursuant to Local Rule 144(a), hereby stipulate and agree as  
3 follows:

4 WHEREAS, Plaintiff commenced this action by filing the Complaint on  
5 December 20, 2021 (ECF No. 1);

6 WHEREAS, Defendant was served on January 7, 2022;

7 WHEREAS, Defendant’s response to the Complaint currently is due on January 28,  
8 2022, and the Parties’ “short joint statement” describing the case is due on February 3, 2022 (Initial  
9 Pretrial Scheduling Order, Section X);

10 WHEREAS, Defendant and its counsel require additional time to evaluate and analyze  
11 the allegations and to prepare a response, including time to meet and confer with counsel for Plaintiff  
12 regarding Plaintiff’s claims;

13 WHEREAS, counsel for Defendant conferred with counsel for Plaintiff on January 18,  
14 2022, and Plaintiff has agreed, subject to this Court’s approval, that Ally’s deadline to file a response  
15 to the Complaint may be extended from January 28, 2022 to March 14, 2022;

16 WHEREAS, the Parties further have agreed that, if Defendant files a motion to dismiss  
17 in response to the Complaint, Plaintiff’s deadline to file any opposition to the motion shall be April 13,  
18 2022; Defendant’s deadline to file any reply in support of the motion shall be May 13, 2022; and the  
19 hearing on the motion shall be scheduled for May 26, 2022;

20 WHEREAS, the Parties further have agreed that the Parties’ deadline to file their short  
21 joint statement shall be extended from February 3, 2022 to the earlier of 14 days after Defendant files  
22 an answer to the Complaint, or 14 days after the Court resolves any motion to dismiss;

23 WHEREAS, the Parties have not previously sought any extension of these deadlines;

24 WHEREAS, all parties who have appeared in the action and are affected by the  
25 stipulation are signatories hereto;

26 Accordingly, IT IS HEREBY STIPULATED, by and between the Parties, through their  
27 respective counsel of record, and subject to the Court’s approval, that:  
28

1. Defendant's deadline to file a response to the Complaint shall be extended from January 28, 2022 to March 14, 2022.

2. If Defendant files a motion to dismiss in response to the Complaint, Plaintiff's deadline to file any opposition to the motion shall be April 13, 2022; Defendant's deadline to file any reply in support of the motion shall be May 13, 2022; and the hearing on the motion shall be scheduled for May 26, 2022.

3. The Parties deadline to file a short joint statement shall be extended from February 3, 2022 to the earlier of 14 days after Defendant files an answer to the Complaint, or 14 days after the Court resolves any motion to dismiss.

4. Nothing in this stipulation is intended, or shall be deemed, to waive or otherwise prejudice any Party's rights, claims, defenses, motions, or objections (whether to jurisdiction, service, or otherwise) in this action.

Dated: January 20, 2022

Respectfully submitted,

/s/ Diane L. McGimsey

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IT IS SO ORDERED.

**Dated: January 26, 2022**

  
MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE